

REMARKS

Claims 1-14 are pending in this application. Claim 1 is the sole independent claim. By this Amendment, claims 15-25 are cancelled without prejudice or disclaimer.

Allowable Subject Matter

Claims 1-14 are indicated as being allowable if a terminal disclaimer is filed disclaiming the terminal portion of the present application that may extend beyond the patent term of co-pending U.S. Patent Application 10/542,027. As a terminal disclaimer is hereby filed, the application is in condition for allowance.

Claim Rejections

Claims 15-25 are rejected under 35 USC §103(a) as being unpatentable over US Patent 5,629,831 to Eggert et al. (Eggert) in view of US Patent 5,652,420 to Innes, et al. (Innes). The rejection is respectfully traversed.

Claims 15-25 are cancelled and therefore, the rejection is moot. Due to the cancellation of claims 15-25, withdrawal of the rejections is respectfully requested.

Non-statutory Double Patenting Rejection

Claims 1-25 are provisionally rejected on the grounds of non-statutory obviousness-type double patenting as unpatentable over co-pending U.S. Patent Application 10/542,027 to Freimuth et al. (Freimuth). As claims 15-25 are cancelled, the rejection of those claims is moot. The rejection of claims 1-14 is respectfully traversed.

In response to the rejection, Applicants hereby submit a Terminal Disclaimer in compliance with 37 CFR §1.321(b) and (c) disclaiming the terminal portion this application that would extend beyond the term of co-pending US Patent Application 10/542,027 filed on January 17, 2006. Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that

personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Fitzpatrick at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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